

David McCandless

1 question if there's something I have a question
2 about.

3 Q. So in your practice, in terms of doing your
4 investigations, you would ask people that were
5 more familiar with the machines about those
6 machines?

7 A. In terms of -- Again, he's representing Grove. He
8 knows some of the specific details of that
9 machine, whereas, you know, I understand the
10 engineering aspects of what makes things work and
11 investigating fires and product failures. So
12 certainly I would draw on his expertise the same
13 way he would draw on mine.

14 Q. Okay. And you're not necessarily an expert in
15 cranes, per se?

16 A. Not in terms of operation. I haven't worked
17 designing cranes and things like that.

18 Q. Okay.

19 A. So sure.

20 Q. What about in the maintenance of cranes?

21 A. Not specifically. I mean, I haven't run a shop.
22 Now, I have reviewed the manuals in this case and
23 so to the extent that there are things in the
24 manuals that I would comment on, sure, but I'm not

EXHIBIT

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David McCandless

Page 42

1 the cables going to the starter and those would be
2 the areas where it ignited. So you wouldn't
3 necessarily have flames shooting out of the
4 starter if a malfunction in the starter caused the
5 fire. So just because you don't see, you know, a
6 burned hole in the side of the starter, that
7 doesn't mean you can categorically exclude it.

8 Q. Well, was there any evidence to you that the
9 starter caused the fire?

10 A. Again, at the time when we looked at it, not
11 having the information that we do now, I didn't
12 look at it and go -- and think that we needed to
13 absolutely take the starter off.

14 Q. So there was nothing, when you looked at this
15 engine, that indicated to you that the starter was
16 involved in the fire?

17 A. Well, the starter was definitely in an area that
18 was burned, so, I mean, involved in it, yes, it's,
19 again, within several inches of what would be the
20 origin of the fire under a hose failure scenario.
21 So sure it's involved, it's burned.

22 Q. Was there any evidence to you when you looked at
23 the engine that the starter caused the fire?

24 A. I certainly didn't leave the examination with the

David McCandless

Page 43

1 conclusion that the starter had caused the fire.

2 Q. But was there any evidence to you when you had the
3 engine in front of you to look at that the starter
4 caused the fire?

5 A. Again, the starter was damaged and, no, I didn't
6 propose that we disassemble the starter or take
7 the starter off.

8 Q. Well, sir, there's a lot of things that were
9 damaged, right?

10 A. Sure.

11 Q. Okay. Was there -- I'm going to ask you the same
12 question because I don't think you've given me an
13 answer, yes or no, and I believe it's a yes or no
14 question.

15 When you looked at the engine was there
16 any evidence to you that the starter caused the
17 fire?

18 A. There's -- When you say any evidence, there's some
19 evidence that it could have, just in the sense of
20 we have the insulation burned off of the leads
21 directly adjacent to the starter. So to the
22 extent that we have that type damage, yes. I
23 didn't -- it would have been more helpful,
24 certainly, to have the information and history

David McCandless

Page 44

1 regarding the starter at the time.

2 Q. Well, was the starter available to you for your
3 review?

4 A. Yes, it was.

5 Q. Did anybody tell you not to look at the starter?

6 A. No.

7 Q. Did anybody tell you not to inquire as to
8 maintenance information about the starter?

9 A. Well, no. We asked Earl about any maintenance
10 history, any recent work on the crane, and he told
11 us about some other things that had been changed,
12 an alternator a few months before the fire, but
13 you know, did not mention to me or Bill anything
14 about the starter having been changed.

15 Q. Did you make a conclusion as to the most likely
16 cause and origin of this fire at some point?

17 A. At some point, sure.

18 Q. Okay. And was that conclusion set forth in your
19 report?

20 A. Yes.

21 Q. Okay. Does it remain your opinion -- strike that.
22 was it your opinion at the time that you issued
23 the report that the most likely cause and origin
24 of the fire was the failed hydraulic hose that you

David McCandless

Page 45

1 saw?

2 A. Yes.

3 Q. Okay. Does it remain your conclusion that the
4 most likely cause and origin of the fire was the
5 failed hydraulic hose that you saw?

6 A. Most likely, probably so, yes.

7 Q. Okay. Did you see any evidence of a starter
8 failure?

9 A. There is -- there's certainly evidence of heat on
10 the external case of the starter. I mean, we
11 certainly have the leads going to the starter that
12 the insulation is consumed on.

13 Q. So you saw fire damage?

14 A. Well, yes, there's heat damage there.

15 Q. Okay. And -- I'm sorry, I was cutting you off.

16 A. Well, what I'm saying is is that -- that damage is
17 -- the damage we see there is not -- does not
18 uniquely exclude the starter --

19 Q. Okay.

20 A. -- based on the investigation that was done.

21 Q. Because there's -- And I'm just trying to do this
22 so I can understand it. Is it your testimony that
23 because there is heat damage around the starter
24 that you couldn't exclude the starter as the